

cc: KSC

**ORIGINAL**

JACK SCHWEIGERT, #1560  
550 HALEKAUWILA STREET, Room 309  
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FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

ARTHUR E. ROSS, #1005  
226 Queen Street, Suite 210  
HONOLULU, HAWAII 96813  
TELEPHONE NO. 52-4343

MAR 02 2006  
3 at 3 o'clock and 35 min. PM  
SUE BEITIA, CLERK

RORY SOARES TOOMEY, #2323  
1088 BISHOP STREET, SUITE 1004  
HONOLULU, HAWAII 96813  
TELEPHONE NO. 533-7162

Attorneys for Plaintiff  
OFELIA COLOYAN

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

OFELIA COLOYAN

Plaintiff,

vs.

WILLIAM BADUA, JEFFERY  
OMAI; SPENCER ANDERSON;  
NEIL PANG; and DOES 5-10

Defendants.

CIVIL NO. 03-00476-KSC

PLAINTIFF'S SPECIAL VERDICT  
FORM; CERTIFICATE OF  
SERVICE

Trial is set for March 14, 2006

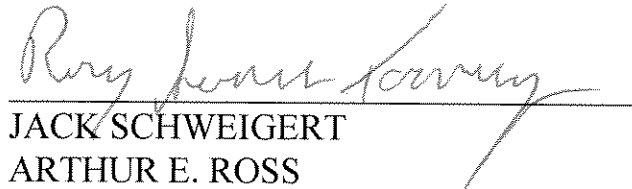
PLAINTIFF OFELIA COLOYAN'S SPECIAL VERDICT FORM

I. INTRODUCTION TO THE SPECIAL JURY FORM

The jury must follow the directions in the Special Verdict Form. The jury must answer all of the questions unless otherwise indicated. To understand what issues are being submitted to you, you may wish to read over the entire Special Verdict Form before proceeding to answer the questions in numerical order, starting with Question No. 1, because an earlier answer may excuse you from answering a later question. Follow all directions carefully. Answer "yes" or "no" unless otherwise indicated. Each question requires the agreement of all jurors. If you do not understand any question, please communicate with the Court in writing.

Once you have answered these questions, your Foreperson must sign and date this form in the spaces indicated and let the bailiff know that you have reached a verdict.

DATED: Honolulu, Hawaii, March 1, 2006

  
JACK SCHWEIGERT  
ARTHUR E. ROSS  
RORY SOARES TOOMEY  
Attorneys for Plaintiff  
OFELIA COLOYAN

We the jury of the above-entitled action, find the following special verdict on the questions submitted to us:

1. Did the defendants violate the Plaintiff's Fourth Amendment Right to be free from an unreasonable search?

\_\_\_\_\_  
yes

\_\_\_\_\_  
no

If the Answer is yes go on to question two, if it is no the Foreperson must sign and date this form and notify the Bailiff that you have reached a verdict.

2. Did the Defendants violate the Plaintiff's Fourth Amendment right to be free from an unreasonable search while they were acting under color of state law?

\_\_\_\_\_  
yes

\_\_\_\_\_  
no

If the Answer is yes go on to question three, if it is no the Foreperson must sign and date this form and notify the Bailiff that you have reached a verdict.

3. Did the Defendants act unreasonably when they searched the Plaintiff's home?

\_\_\_\_\_  
yes

\_\_\_\_\_  
no

If the Answer is yes or no go on to question four.

- 4 Was the Plaintiff damaged as a result of the Defendants' violation of her Fourth Amendment Right to be free from unreasonable searches?

        
yes

        
no

Amount \$ \_\_\_\_\_

5. What percentage of the Plaintiff's damages are attributable to each of the Defendants?

William P Badua \_\_\_\_\_%

Spencer Anderson \_\_\_\_\_%

Jeffery Omai \_\_\_\_\_%

6. Do you find that the Plaintiff is entitled to punitive damages from the Defendants?

        
yes

        
No

Amount \$ \_\_\_\_\_

7. What percentage of the Plaintiff's damages are attributable to each of the Defendants?

William P Badua \_\_\_\_\_%

Spencer Anderson \_\_\_\_\_%

Jeffery Omai \_\_\_\_\_%

DATED: Honolulu, Hawaii, \_\_\_\_\_

\_\_\_\_\_  
FOREPERSON

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

OFELIA COLOYAN

Plaintiff,

vs.

WILLIAM BADUA, JEFFERY  
OMAI; SPENCER ANDERSON;  
NEIL PANG; and DOES 5-10

Defendants.

CIVIL NO. 03-00476-KSC

CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE


**I HEREBY CERTIFY** that on March 1, 2006, a copy of the attach  
document was served upon:

KENDRA K. KAWAI  
550 S. KING ST., Rm 110  
HONOLULU, HAWAII

☒ HAND DELIVERED  
☐ UNITED STATES MAIL, first class  
Postage prepaid

Attorney for Defendants  
WILLIAM BADUA; SPENCER  
ANDERSON, NEIL PANG

DATED: Honolulu, Hawaii, March 1, 2006

  
JACK SCHWEIGERT  
RORY SOARES TOOMEY  
Attorneys for Plaintiff  
OFELIA COLOYAN